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RONALD J. MCINTOSH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RONALD J. MCINTOSH,

Petitioner,

-v-

ERIC N. HOLDER, and ATTORNEY
GENERAL OF CALIFORNIA,

Respondents.

Case No. C 09-00750 CRB

STIPULATION FOR PRIVACY ACT ORDER
AND [PROPOSED] ORDER

Petitioner Ronald J. McIntosh, by his attorney David W. Shapiro, and defendants Eric N. Holder and the Attorney General of California, by their counsel Assistant U.S. Attorney Wilson Leung and Pamela Critchfield, hereby stipulate as follows:

WHEREAS, this Court ordered that the plaintiff Ronald McIntosh was authorized to serve subpoenas in the captioned case on the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco & Firearms, and the United States Marshals Service, Doc. 123.

WHEREAS, pursuant to that authorization, McIntosh served subpoenas on the foregoing agencies on April 30, 2015, Doc. 128, 129, 130, and 131 (the "McIntosh subpoenas").

WHEREAS, the records responsive to the subpoenas may contain information subject to the Privacy Act, 5 U.S.C. § 552(a);

WHEREAS, the Court has determined that McIntosh may receive the information sought by the subpoenas;

NOW, THEREFORE, IT IS STIPULATED that:

1. The Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco & Firearms, and the United States Marshals Service (the "Agencies") may produce records responsive to the McIntosh subpoenas pursuant to 5 U.S.C. § 552a(b)(11), which may be subject to the Privacy Act of 1974, 5 U.S.C. § 552a, in whole or in part.

2. The Agencies may designate as subject to this Protective Order any document or other item responsive to the McIntosh subpoenas that are records subject to the Privacy Act or that contain or refer or relate to records that are subject to the Privacy Act.

3. The parties to this case may not use records produced pursuant to the McIntosh subpoenas for any purpose other than for litigation in the captioned case and any appeals from orders in this case.

4. A party to this case may challenge any Privacy Act designation by any of the Agencies through a motion in this Court.

On June 3, 2015, AUSA Wilson Leung and Deputy Attorney General Pamela Critchfield emailed their agreement to this stipulation to David W. Shapiro.

Dated: June 7, 2015

Boersch Shapiro LLP

/s/ David W. Shapiro

David W. Shapiro

Attorney for Ronald McIntosh

Melinda Haag

United States Attorney

/s/ Wilson Leung

W.S. Wilson Leung

Assistant U.S. Attorney

Kamala D. Harris

Attorney General of California

Pamela Critchfield

Pamela Critchfield

Deputy Attorney General

Pursuant to the parties' stipulation, it is SO ORDERED:

Dated: June ___, 2015

HON. CHARLES R. BREYER
United States District Judge